In accordance with the provisions of Title 65, chapters 1 and 2, of the Revised Civil Statutes of the State of Texas, the House of Representatives of the Twenty-sixth Legislature assembled this day in the Hall of the House of Representatives at the city of Austin, at 12 o'clock, meridian.

Hon. J. W. Madden, Secretary of State, called the Honorable House to order.

After briefly stating his duty, he introduced the Rev. H. M. Whaling, of Travis County, who invoked the blessings of Almighty God upon the assemblage and the occasion.

For the purposes of temporary organization, the Honorable Secretary of State then appointed Lee J. Rountree, of Victoria County, Chief Clerk; Marshall Burney, of Atascosa County, Journal Clerk, and J. E. Lucy, of Travis County, Sergeant-at-Arms.

The Secretary then administered the oath of office to the Chief Clerk, pro tem., who was directed to call the roll of counties.

The Clerk then called the roll of counties, and the following Representatives answered to their names:

Anderson—A. E. Blount.
Austin—D. Willrodt.
Bastrop—S. L. Staples.
Bell—Huling P. Robertson, W. T. Shannon.
Bexar—J. D. Childs, Thos. O. Murphy, A. Y. Walton.
Bowie—T. C. Poole.
Brazoria—E. Masterson.
Brazos—Sam R. Henderson.
Caldwell—Lea Beaty.
Cameron—Wm. J. Russell.
Camp—C. T. Phillips.
Cass—A. G. Oliver.
Cherokee—Geo. B. Terrell.
Clay—F. J. Barrett.
Coleman—W. R. McClellan.
Collin—Jno. R. Smith, T. F. Vaughan.
Colorado—C. A. Allen.
Comal—S. V. Pfeuffer.

Comanche—Wm. Howard.
Cooke—John W. Childers.
Coryell—I. W. Culp.
Denton—E. W. H. Shelburne.
DeWitt—John H. Bailey.
Eastland—J. R. Frost.
El Paso—W. W. Bridgers.
Erath—Ben Palmer.
Fannin—W. R. Evans, Rosser Thomas.
Fayette—C. E. Lane, Max Meitzen.
Freestone—L. D. Lillard.
Gonzales—J. W. Eckols.
Grimes—I. M. Bennett.
Guadalupe—Jas. Guenwood.
Hardeman—D. E. Decker.
Hardin—W. W. Dies.
Harris—Jno. T. Browne, Norman G. Kittrell.
Harrison—Joe Lake, W. M. Robertson.
Hays—Fred Coke.
Henderson—W. H. Graham.
Hill—Dave Derden, Jno. D. Pitts.
Hood—A. P. Gordon.
Houston—N. R. Barbee, J. H. Ratcliff.
Hunt—V. W. Grubbe, J. S. Sherrill.
Jasper—B. F. Bean.
Kaufman—Nestor Morrow.
Kerr—W. G. Garrett.
Lamar—A. E. Calvin, Travis Henderson.
Lampasas—D. W. Phillips.
Lee—John H. Tate.
Leon—F. B. Looney.
Limestone—H. E. Ellis, A. M. Kennedy.
Marion—L. S. Schuler.
Mason—Geo. F. Hurley.
McLennan—Pat. M. Neff.
Milam—Sam G. Little, O. F. McAnally.
Mills—J. H. Clements.
Montague—Geo. W. Savage.
Montgomery—A. W. Morris.
Morris—W. Bolin.
Navarro—Jno. B. Stripling.
Navasota—I. P. Prince.
Nolan—W. L. Grogan.
Nueces—John Willacy.
Orange—C. A. Teagle.
Parker—H. C. Shropshire.
Rains—D. F. Sutherland.
Red River—C. M. Chambers.
Robertson—S. W. Parish.
Rockwall—Jno. L. Goodman.
Rusk—C. J. Litsey.
Sabine—A. D. Hamilton.
San Jacinto—G. W. McKeelar.
Smith—W. H. Marsh.
Starr—J. R. Monroe.
Tarrant—Ben P. Ayers, Clarence E. Stewart.
Taylor—J. T. Tucker.
Tom Green—W. A. Wright.
Trinity—J. S. McDowell.
Upshur—J. M. Dorroh.
Uvalde—Jno. N. Garner.
Val Verde—W. K. Jones.
Van Zandt—John M. Dean.
Victoria—T. C. McFarland.
Waller—A. C. Tompkins.
Washington—Sam H. Goodlett, Ben. S. Rogers.
Wichita—Edgar Seurty.
Williamson—Cooper Sansom.

The Secretary then directed the Clerk to administer the oath of office to the members, which was done as follows:

All the members rising together and repeating the following oath prescribed in the Constitution, each his own name after the first word, the pronoun “I,” following the Chief Clerk, who read the oath:

“I do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent upon me as a member of the House of Representatives, according to the best of my skill and ability, agreeably to the Constitution and laws of the United States and of this State, and I do further solemnly swear that, since the adoption of the Constitution of this State, I being a citizen of this State, have not fought a duel with deadly weapons, within this State, nor out of it, nor have I sent or accepted a challenge to fight a duel with deadly weapons, nor have I acted as second in carrying a challenge, or aided, advised or assisted any person thus offending; and I furthermore solemnly swear that I have not, directly or indirectly, paid, offered or promised to pay, contributed, nor promised to contribute, any money or valuable thing, or promised any public office or employment as a reward for the giving or withholding a vote at the election at which I was elected, so help me God.”

The Secretary then stated that the roll call showed a majority present, and that the next business in order was the

ELECTION OF SPEAKER.

Nominations for Speaker were then declared in order.

Hon. Dudley G. Wooten, of Dallas County, nominated Hon. J. S. Sherrill, of Hunt County.
Hon. Norman G. Kittrell, of Harris County, nominated Hon. Jno. H. Bailey, of De Witt County.
Hon. Fred Coke, of Hays County, seconded the nomination of Mr. Bailey.
Hon. Jasper Collins, of Panola County, seconded the nomination of Mr. Sherrill.
Hon. C. A. Teagle, of Orange County, seconded the nomination of Mr. Bailey.
Hon. F. J. Barrett, of Clay County, seconded the nomination of Mr. Sherrill.
Hon. J. N. Garner, of Uvalde County, seconded the nomination of Mr. Bailey.
Hon. Rosser Thomas, of Fannin County, seconded the nomination of Mr. Sherrill.
Hon. H. C. Shropshire, of Parker County, seconded the nomination of Mr. Bailey.
Hon. Sam R. Henderson, of Brazos County, seconded the nomination of Mr. Sherrill.

Hon. S. L. Staples, of Bastrop County, seconded the nomination of Mr. Bailey.
Hon. V. W. Grubbs, of Hunt County, seconded the nomination of Mr. Sherrill.
Hon. John Willacy, of Nueces County, seconded the nomination of Mr. Bailey.

On motion of Hon. Travis Henderson, of Lamar County, nominating speeches were declared closed.

There being no other nominations, the Honorable Secretary appointed the following tellers:

To take up the ballots—Hon. Thos. O. Murphy, of Bexar County; Hon. L. S. Schluter, of Marion County, and Hon. J. H. Ratliff, of Houston County.

To count the ballots—Hon Clarence E. Stewart, of Tarrant County; Hon. Rosser Thomas, of Fannin County, and Hon. W. H. Graham, of Henderson County.

Result of the ballot:

The Secretary announced that 124 votes had been cast, and that Mr. Sherrill had received 70 votes, and that Mr. Bailey had received 54 votes.

Mr. Sherrill having received a majority of all the votes cast, was declared by the Honorable Secretary to be duly and
constitutively elected Speaker of the House of Representatives of the Twenty-sixth Legislature.

On motion of Hon. Jno. H. Bailey of DeWitt, the election of Mr. Sherrill was made unanimous.

The Secretary appointed Hon. Jno. H. Bailey of DeWitt, Hon. R. E. Prince of Navarro, and Hon. J. D. Childs of Bexar, to conduct the Speaker-elect to the chair.

The Secretary then introduced Hon. J. S. Sherrill to the House as Speaker of the House of Representatives of the Twenty-sixth Legislature.

Mr. Sherrill in a brief talk thanked the members for the honor conferred.

The Secretary then administered the oath of office to the Speaker-elect and delivered to him the gavel as the emblem of authority.

Speaker Sherrill then declared the House ready to proceed with business, and asked the pleasure of the House.

Mr. Lillard offered the following resolution, which was read second time and adopted:

Resolved, That the members of this body now proceed to draw for their seats by the following mode: Each member to vacate his desk and retire to the rear of the Hall, and then the Chief Clerk shall write the name of each member on separate slips of paper and thoroughly mix the same in a hat or box, and then draw from it, one name at a time, and read the same, and as each name is read, the member shall take his seat at the desk of his choice.

The members then proceeded to choose their seats in accordance with above resolution. When the name of Hon. O. H. Cross, of McLennan was called, he being absent on account of sickness, Hon. P. M. Neff, his colleague, asked the privilege of selecting a seat for him, which was granted.

Mr. Dorroh offered the following resolution:

Resolved, That the officers and employees hereinafter designated are essential to the proper service of the House of Representatives of the Twenty-sixth Legislature, and shall be appointed or elected, and receive compensation as hereinafter provided, and shall continue, until discharged by the House, in the respective offices or employment to which they shall be chosen.

Second—That the Speaker shall appoint the following servants of the House, namely: Two general committee clerks, each of whom shall receive five dollars per day; one private secretary for the Speaker, who shall receive five dollars per day for his services; eight pages and six porters, each of whom shall be paid two dollars per day.

Third—That the chairman of the following standing committees, shall each be entitled to appoint a committee clerk to serve his committee, namely: Judiciary Committee No. 1, Judiciary Committee No. 2, Committee on Finance, Committee on Public Lands, Committee on Education, Committee on Judicial Districts, and Committee on Internal Improvements, and such committee clerks shall perform such other duties as shall be required of them by the Speaker of the House, or the Chairman of any other committee, and shall each receive four dollars per day for his services.


Each of whom shall receive four dollars per day for his services, except Chief Clerk, Sergeant-at-Arms, and Journal Clerk, who shall receive five dollars per day for his services.

The resolution was read, and on motion of Mr. Henderson of Lamar, was tabled, subject to call.

Mr. Barrett offered the following resolution:

Resolved, That nominating speeches for officers of this House shall be limited to two minutes, and seconding speeches shall be limited to one minute, and there shall be no more than one nominating speech and one seconding speech.

The resolution was read, and on motion of Mr. Henderson of Lamar, was tabled, subject to call.

Mr. Savage moved to adjourn until 9 a.m. tomorrow.

Mr. Oliver moved to adjourn until 4 p.m. today.

Mr. Staples moved to adjourn until 4:30 p.m. today.

Question being on the longest time first, both motions were lost, and the House, at 2:30 a.m., adjourned until 4 p.m. today.
The House met at 4 o'clock p.m., pursuant to adjournment.

Speaker Sherrill in the chair.

Roll called and quorum present.

Mr. Savage offered the following resolution:

Resolved, That until the report of Committee on Revision of Rules is received and adopted, the rules of order of the Twenty-fifth Legislature be and are hereby adopted for the government of this House.

Read second time, and Mr. Shropshire offered the following substitute:

Resolved, That until the Committee on Rules and Regulations makes a report to this House, that Jefferson's Rules and Regulations are hereby adopted and recognized as the rules of this House.

On motion of Mr. Henderson of Lamar, the substitute was tabled.

Mr. Evans of Grayson, offered the following substitute:

Resolved, That until the Committee on Rules reports that the rules of the Twenty-fifth Legislature, with the exception of Rule 51, be adopted to govern in the proceedings of this body.

The substitute was adopted.

The resolution as substituted was adopted.

Mr. Savage moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider.

The motion to table prevailed.

Mr. Barrett offered the following resolution:

Resolved, That the House of Representatives do now proceed to complete its organization by electing the following officers in the order named, and that a majority of all the votes cast shall be necessary to elect:

First—One Chief Clerk.
Second—One Sergeant-at-Arms.
Third—One Assistant Sergeant-at-Arms.
Fourth—One Reading Clerk.
Fifth—One Assistant Reading Clerk.
Sixth—One Journal Clerk.
Seventh—One Assistant Journal Clerk.
Eighth—One Calendar Clerk.
Ninth—One Engrossing Clerk.
Tenth—One Enrolling Clerk.
Eleventh—One Door-Keeper.
Twelfth—One Assistant Door-Keeper.
Thirteenth—One Calendar Clerk.
Fourteenth—One Postmaster.
Fifteenth—One Chaplain.

Each of them shall receive such compensation for his services as was received by said officer in the Twenty-fifth Legislature.

The resolution was read second time.

Mr. Shropshire offered the following substitute:

Resolved, That the House of Representatives do now proceed to complete its organization by electing the following officers in the order named, and that a majority of all the votes cast be necessary to elect:

One Chief Clerk.
One Sergeant-at-Arms.
One Assistant Sergeant-at-Arms.
One Reading Clerk.
One Assistant Reading Clerk.
One Journal Clerk.
One Assistant Journal Clerk.
One Calendar Clerk.
One Engrossing Clerk.
One Enrolling Clerk.
One Door-Keeper.
One Assistant Door-Keeper.
One Postmaster.
One Chaplain.

Each of them shall receive four dollars per day for his services, except Chief Clerk, Sergeant-at-Arms, and Journal Clerk, who shall each receive five dollars per day for his services.

The substitute was adopted and the resolution as substituted was adopted.

ELECTION OF OFFICERS.

Mr. Lillard called up the resolution relating to nominating speeches which was offered this morning and tabled subject to call. The resolution was laid before the House, read second time, and Mr. Ellis offered the following amendment:

Amend by striking out "seconding speeches" wherever it occurs in the resolution.

On motion of Mr. Schluter the amendment was tabled, and the resolution was adopted.

ELECTION OF CHIEF CLERK.

The Speaker announced nominations in order.

Mr. Oliver nominated Lee J. Rountree, of Victoria county.
Mr. McKamy nominated Jno. H. Cullom, of Dallas county.
Mr. Murphy nominated Chester Haile, of Bexar county.
Mr. Henderson of Brazos, nominated W. O. Peery, of Limestone county.
Mr. Willacy seconded the nomination of Lee J. Rountree.
Mr. Chambers seconded the nomination of Jno. H. Cullom.
Mr. Barbee seconded the nomination of Chester Haile.
Mr. Ellis seconded the nomination of W. O. Peery.
The Speaker appointed the following tellers:
To take up the ballots—Messrs. Clements, Palmer and Neff.
To count the ballots—Messrs. Shiburne, Allen of Hopkins, and Garrett.
The first ballot resulted as follows:
Mr. Rountree received 62 votes.
Mr. Cullom received 31 votes.
Mr. Haile received 16 votes.
Mr. Peery received 13 votes.
There being no election a second ballot was ordered, which resulted as follows:
Mr. Rountree received 74 votes.
Mr. Cullom received 24 votes.
Mr. Haile received 11 votes.
Mr. Peery received 12 votes.
Mr. Rountree having received a majority of all the votes cast, was declared duly and constitutionally elected Chief Clerk of the House of Representatives of the Twenty-sixth Legislature.
Mr. Rountree came forward and took the oath of office prescribed in the Constitution, which was administered by the Speaker.
Mr. Kittrell offered the following resolution, which was read second time and unanimously adopted by a rising vote:
Resolved, That the House of Representatives of the State of Texas has heard with profound sorrow of the death of that gallant soldier, knightly gentleman and faithful public servant of Texas, WOODFORD HAYWARD MABRY, late Colonel of the First Regiment, Texas Volunteer Infantry, and that the sympathies of this body be and are hereby tendered to his wife, children and aged mother; and that a copy of these resolutions be transmitted to his bereaved family, duly attested by the Speaker and Clerk; and that this House do now adjourn until 9 o'clock a. m. tomorrow out of respect to the memory of the noble dead.
Accordingly the House adjourned until 9 o'clock a. m. tomorrow.

SECOND DAY.

Hall of the House of Representatives,
Austin, Texas,
Wednesday Jan. 11, 1899.

The House met at 9 o'clock a. m., pursuant to adjournment.
Speaker Sherrill in the chair.
Roll called and the following members present:
Adams, Bailey.
Allen of Colorado, Barbee.
Allen of Hopkins, Barrett.
Ayers, Bean.

Beatty, Bennett, Mckean, Mckellar.
Blount, Metz.